

and West Texas Railway Company to lease and to operate, maintain and control under lease the Houston and Shreveport Railroad, situated in the State of Louisiana, and extending from the State boundary line at Logansport, Louisiana, thence through the parishes of DeSoto and Caddo into the city of Shreveport in said State."

And find the same correctly engrossed.  
COLQUITT, Acting Chairman.

Committee Room,  
Austin, Texas March 11, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 39, being a bill to be entitled "An act to amend section 6 of an act entitled 'An act to require railroad companies in the State of Texas to provide separate coaches for white and negro passengers, and to prohibit passengers from riding in coaches other than those set apart for their use, and confer certain powers upon conductors, and to provide penalties for the violation thereof,' passed by the Twenty-second Legislature and approved March, 1891, and amended April 11, 1891, by the addition thereto of section 6a,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

McKINNEY, Chairman.

Committee Room,  
Austin, March 11, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Finance, to whom was referred

House bill No. 412, entitled "An act to impose a tax upon general and local agents of life, fire, marine and accident insurance companies doing business in this State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments, to-wit:

Amend section 1 by striking out the words "one hundred" and inserting in lieu thereof the words "twenty-five."

Amend section 2 by striking out all of said section after the word "provided," and inserting in lieu thereof the following: That local agents shall pay county occupation taxes in each county in which they do business."

Amend section 3 so that the same shall read as follows:

"Section 3. That there is hereby imposed upon and there shall be collected from each and every person or firm acting as local agent or agents of industrial life insurance companies who may transact any business as such in this State, an annual occupation tax of two dollars. By 'industrial insurance' as used in this section is meant insurance adapted to the wants and necessities of the wage earners

in that the policies are small and the premiums collected weekly at the homes of the insured; the maximum policy or insurance written on any one person being one thousand dollars."

Amend by adding "Section 4. Whereas, There is no occupation tax upon local and general agents for life, fire, marine, industrial and accident insurance companies in this State; therefore an emergency is created and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted."

TIPS, Chairman.

Call concluded.

Senator Tips moved that the Senate go into executive session on the Governor's appointments on tomorrow at 12 m.

Carried.

Senator Stafford announced the death of Hon. R. D. Harrell, Representative from Bowie county, which occurred on yesterday, and moved that in respect to his memory the Senate stand adjourned till 10 a. m. tomorrow.

Adjourned.

## FIFTY-SECOND DAY.

Senate Chamber,  
Austin, Texas, March 12, 1895.

Senate met pursuant to adjournment.  
Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lewis.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Presler.
Colquitt.	Rogers.
Darwin.	Sheburne.
Dean.	Sherrill.
Dibrell.	Simpson.
Dickson.	Smith.
Gage.	Stafford.
Goss.	Steele.
Greer.	Tips.
Harrison.	Woods.
Lawhon.	

Absent—excused.

Agnew. Whitaker.

Absent—not excused.

Bailey.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of Saturday,

On motion of Senator Stafford, the same was suspended.

## PETITIONS AND MEMORIALS.

By Senator Goss:

Memorial of citizens of Childress county, protesting against the passage of the venue bill.

Read and referred to Judiciary Committee No. 1.

By Senator Goss:  
Memorial of citizens of Wichita county,  
against the venue bill.

Read and referred to Judiciary Committee No. 1.

By Senator Gage:

Petition from citizens of Midland county, asking that terms of district court in said county be increased to three weeks each.

Read and referred to Committee on Judicial Districts.

By Senator Gage:

Petition from citizens of Midland county, praying that said county be placed in the proposed Thirty-eighth judicial district, and not in said Thirty-seventh judicial district.

Read and referred to Committee on Judicial Districts.

By Senator Stafford:

Petition of citizens of Longview and Longview Junction, protesting against the passage of any law allowing Longview Junction to be incorporated in the city of Longview.

Read and referred to Committee on Towns and City Corporations.

By Senator Lawhon:

Petition of citizens of Jackson county, asking that said county be exempt from the bill creating the office of fish and oyster commissioner.

Read and referred to Committee on State Affairs.

#### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 11, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Public Lands, to whom was referred

Senate bill No. 119, being a bill to be entitled "An act for the protection of land owners from squatters or persons seeking to acquire titles to lands, without compensation for same,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

GOSS, Chairman.

Committee Room,

Austin, Texas, March 11, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Public Lands, to whom was referred

Senate bill No. 92, being a bill to be entitled "An act to amend section 13 of an act to amend sections 5, 8, 11, 13, 14, 15 and 22, chapter 99, of 'An act to provide for the sale of the lands heretofore or hereafter surveyed and set apart for the benefit of the public free schools, University, etc., and the lease of such lands, etc., and to prevent the free use, etc., of such lands, to provide penalties therefor,' approved April 8, 1889, and to extend time for removal of timber off of school lands heretofore sold under said act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, for the reason that another bill on the same subject has been passed by the Legislature.

GOSS, Chairman.

Committee Room,

Austin, Texas, March 11, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Public Lands, to whom was referred

Senate bill No. 156, being a bill to be entitled "An act to validate the transfer of original record books from one county to another and the titles to lands therein recorded,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GOSS, Chairman.

Committee Room,

Austin, Texas, March 11, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Public Lands, to whom was referred

Senate bill No. 122, being a bill to be entitled "An act to provide for rescinding contracts between the State and private individuals of sales of land,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

GOSS, Chairman.

Committee Room,

Austin, Texas, March 12, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 215, being a bill to be entitled "An act to amend articles 2976, 2977, 2978, 2979, 2980 and 2981, title 54, of the Revised Civil Statutes of the State of Texas, and to add article 2981c thereto,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 12, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 221, being a bill to be entitled "An act to authorize the appointment of notaries public to fill out the unexpired term of any notary public whose office becomes vacant by reason of death, removal or resignation,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 12, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 205, being a bill to be entitled "An act regulating the disposition of encumbered real property in the settlement of estates,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 12, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

House bill No. 511, "An act to amend section 5 of an act entitled 'An act to establish a railroad commission for the State of Texas, whereby discrimination and extortion in railroad charges may be prevented and reasonable freight and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission and the railroads and afford railroad companies and other parties adequate remedies; to prescribe penalties for the violation of this act, and to provide means and rules for its enforcement,' approved April 3, 1891,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 12, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 186, a bill to be entitled "An act to amend article 2519, of chapter 6, of the Revised Civil Statutes of the State of Texas, so as to compel guardians to renew their guardian bonds every two years, and provide for notice to guardians in such cases,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments, to-wit:

First—Amend by striking out all after the words "duty of," in line 9, section 1, and inserting the following in lieu thereof: "Such county judge to annually examine into the condition of the estate of the ward and the solvency of such guardian's bond, and to require such guardian, at any time it may appear that such bond is not ample security to protect such estate and the interests of his ward, to execute another bond in accord-

ance with law and in such case he shall notify the guardian as in other cases; and should damage or loss result to the estate of any ward through the negligence of such county judge to perform the duty herein prescribed, such county judge shall be liable on his official bond, payable to such ward an amount equal to his loss due to such negligence."

Second—Amend caption by striking out all after the word "compel," and insert in lieu thereof the following: "County judges to require that the bonds of guardians be kept solvent and prescribing their liability for negligence so to do."

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 12, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 212, being a bill to be entitled "An act to amend article 4190, chapter 8, title 84, of the Revised Civil Statutes of Texas, relating to the condemnation of right of way by railway companies,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 12, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 227, being a bill to be entitled "An act to provide for record in the office of the Secretary of State of all certificates and resolutions filed in said office by railway companies accepting the provisions of section 8, article 10, of the Constitution, filed under and by virtue of any general or special law of this State, and to make certified copies of said record original evidence in all suits in this State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 12, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 209, being a bill to be entitled "An act to amend article 4767, section 1 of the Revised Civil Statutes of the State of Texas, with reference to the compensation of tax collectors so as to regulate the divisions of commissions between incoming and outgoing collectors so as to prevent double payment,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 12, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 232, being a bill to be entitled "An act to amend articles 1277 and 1278 of chapter 10, title 29, of the Revised Civil Statutes, relating to continuances of civil cases,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

### HOUSE MESSAGE.

House of Representatives,  
Austin, Texas, March 12, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bills, to-wit:

Senate bill No. 183, "An act to restore and revive the charters of private domestic corporations chartered under the laws of the State of Texas, which have from failure to pay their annual franchise taxes, or for other causes lapsed or been declared forfeited by the Secretary of State," with House amendment.

Passed by two-thirds vote—ayes 88, noes 7.

House bill No. 413, "An act to amend chapter 51, section 1, section 2, section 33, section 53 and section 54 of the acts of the Twenty-third Legislature, entitled 'An act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin, Delta, Harrison, Panola, Upshur, Shelby and Smith and auxiliary thereto.'"

Passed by two-thirds vote—ayes 87, noes none.

House bill No. 598, "An act to validate incorporations of towns and villages heretofore attempted to be made under the provisions of chapter 11, title 17, of the Revised Civil Statutes, but which attempted incorporation failed to comply with the requirements of said chapter and title,

Passed by two-thirds vote—ayes 95, noes none.

House bill No. 597, "An act to validate the incorporation of cities or towns of one thousand inhabitants or over, which have heretofore attempted to be made under uncertain conditions."

Passed by two-thirds vote—ayes 95, noes none.

Also, that the House has concurred in Senate amendments to House bill No. 538.

Also, that the House grants request of Senate for free conference committee on

House amendments to Senate bill No. 6, and Messrs. Thomas, McKinney, Gough, Graham and Rhodes of Van Zandt are appointed on said committee on part of House. Respectfully,

CHESTER HAILE,  
Chief Clerk.

### BILLS AND RESOLUTIONS.

By Senator Tips:

A bill to be entitled "An act making appropriations for registered and estimated deficiencies in the appropriations for the State government from March 1, 1893, to February 28, 1895, and for previous years."

Read first time and referred to Committee on Finance.

By Senator Boren:

A bill to be entitled "An act to create the county of Autrey out of a part of Brazoria and Fort Bend counties, and to provide for its organizations and attachment for congressional, senatorial, representative and judicial purposes."

Read first time and referred to Committee on Counties and County Boundaries.

By Senator Colquitt (by request):

A bill to be entitled "An act to amend articles 575 and 579 of chapter 3, title 20, of the Revised Civil Statutes of the State of Texas, relating to private corporations."

Read first time and referred to Judiciary Committee No. 1.

By Senator McKinney:

A bill to be entitled "An act to amend subdivision (a) of section 22 of the act passed by the Twenty-second Legislature of the State of Texas, entitled 'An act to establish a railroad commission for the State of Texas, whereby discrimination and extortion in railroad charges may be prevented and reasonable freight and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission and the railroads, and afford railroad companies and other parties adequate remedies; to prescribe penalties for the violation of this act, and to provide means and rules for its enforcement,' approved April 8, 1891."

Read first time and referred to Committee on Internal Improvements.

By Senator McComb:

Joint resolution declaring certain claims against the late Republic of Texas to be just, and requesting our representatives in congress to secure an appropriation to pay the same.

Read first time and referred to Committee on Federal Relations.

Call concluded.

Senator Smith called up

Senate bill No. 1, being a bill to be entitled "An act relating to suits for libel, and to better define a mode of procedure in suits for damages thereunder."

Action being on the motion of Senator Simpson to reconsider the vote by which the bill was finally passed.

Reconsidered by the following vote:

## Yeas—15.

Atlee.	McComb.
Boren.	McKinney.
Colquitt.	Rogers.
Darwin.	Sherrill.
Dickson.	Smith.
Goss.	Steele.
Harrison.	Woods.
Lawhon.	

## Nays—11.

Beall.	Presler.
Bowser.	Shelburne.
Dean.	Simpson.
Dibrell.	Stafford.
Greer.	Tips.
Lewis.	

## Paired.

Yea.	Nay.
Agnew.	Gage.

Absent, excused.

Whitaker.

Absent—not excused.

Bailey.

By Senator Atlee:  
Amend by inserting in line 5, after the word "was," the word "not," and before the word "mistake" the words "but to."

Adopted by the following vote:

## Yeas—26.

Atlee.	Lewis.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Presler.
Colquitt.	Rogers.
Darwin.	Shelburne.
Dean.	Sherrill.
Dibrell.	Simpson.
Dickson.	Smith.
Gage.	Stafford.
Goss.	Steele.
Greer.	Tips.
Harrison.	Woods.
Lawhon.	

## Nays—None.

Absent, excused.

Agnew.

Whitaker.

Absent, not excused.

Bailey.

By Senator Smith:  
Amend section 2 by adding the following: "The falsity thereof, and the want of probable cause to believe the libelous statement to be true."

Adopted by the following vote:

## Yeas—26.

Atlee.	Lewis.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Presler.
Colquitt.	Rogers.
Darwin.	Shelburne.
Dibrell.	Sherrill.
Dickson.	Simpson.
Gage.	Smith.
Goss.	Stafford.
Greer.	Steele.
Harrison.	Tips.
Lawhon.	Woods.

## Nays—1.

Dean.

Absent, excused.

Agnew.

Whitaker.

Absent—not excused.

Bailey.

By Senator McComb:

Amend section 2, line 2, by inserting after the word "malice," at both places where it occurs in said line, the words "or gross negligence."

By Senator Atlee:

Substitute for amendment: Amend section 2 as follows: Insert in line 4, after word "from," the word "negligence."

Adopted.

The amendment as substituted was then adopted by the following vote:

## Yeas—19.

Atlee.	McComb.
Beall.	McKinney.
Boren.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dickson.	Simpson.
Gage.	Smith.
Goss.	Steele.
Harrison.	Tips.
Lawhon.	Woods.

## Nays—6.

Bowser.	Lewis.
Dean.	Presler.
Dibrell.	Stafford.
Greer.	

Absent—excused.

Agnew.

Whitaker.

Absent—not excused.

Bailey.

By Senator Smith:

Amend section 1 by adding after the word "facts" in line 6, "and that the publisher thereof had reasonable grounds to believe that the libelous statement was true."

Adopted by the following vote:

## Yeas—18.

Atlee.	McComb.
Boren.	McKinney.
Colquitt.	Presler.
Darwin.	Rogers.
Dickson.	Shelburne.
Gage.	Sherrill.
Goss.	Smith.
Harrison.	Steele.
Lawhon.	Woods.

## Nays—9.

Beall.	Lewis.
Bowser.	Simpson.
Dean.	Stafford.
Dibrell.	Tips.
Greer.	

Absent, excused.

Agnew.

Whitaker.

Absent, not excused.

Bailey.

Senator Sherrill moved to recommit the bill.

Lost by the following vote:

## Yeas—12.

Boren.	McKinney.
Colquitt.	Rogers.
Darwin.	Sherrill.
Dickson.	Smith.
Harrison.	Steele.
McComb.	Woods.

## Nays—15.

Atlee.	Lawhon.
Beall.	Lewis.
Bowser.	Presler.
Dean.	Shelburne.
Dibrell.	Simpson.
Gage.	Stafford.
Goss.	Tips.
Greer.	

Absent, excused.

Agnew. Whitaker.

Absent, not excused.

Bailey.

Senator Lewis moved the previous question, which was duly seconded and prevailed.

The bill was then passed by the following vote:

## Yeas—14.

Mr. President.	Lewis.
Atlee.	McComb.
Beall.	Presler.
Bowser.	Shelburne.
Dean.	Simpson.
Dibrell.	Stafford.
Greer.	Tips.

## Nays—13.

Boren.	McKinney.
Colquitt.	Rogers.
Darwin.	Sherrill.
Dickson.	Smith.
Goss.	Steele.
Harrison.	Woods.
Lawhon.	

## Paired.

Yea.	Nay.
Gage.	Agnew.

Absent, excused.

Whitaker.

Absent, not excused.

Bailey.

Senator Lewis moved to reconsider the vote by which the bill passed and to lay that motion on the table.

Tabled by the following vote:

## Yeas—13.

Atlee.	McComb.
Beall.	Presler.
Bowser.	Shelburne.
Dean.	Simpson.
Dibrell.	Stafford.
Greer.	Tips.
Lewis.	

## Nays—13.

Boren.	McKinney.
Colquitt.	Rogers.
Darwin.	Sherrill.
Dickson.	Smith.
Goss.	Steele.
Harrison.	Woods.
Lawhon.	

## Paired.

Yea.	Nay.
Gage.	Agnew.

Absent—excused.

Whitaker.

Absent, not excused.

Bailey.

The Chair gave notice of signing, and did sign after the captions had been read, House bill No. 165, "An act to restore to and confer upon the county court of Delta county the civil and criminal jurisdiction heretofore belonging to said county under the constitution and general statutes of the State of Texas, and to conform the jurisdiction of the district court of said county to said change."

House bill No. 74, being a bill to be entitled "An act to provide a method of ascertaining the class of a merchant, so as to determine the amount of his occupation tax, and to provide for the collection of same, and fixing penalties for the violation of the provisions of this act."

Senator Steele moved to grant the request of the House to return Senate concurrent resolution No. 14.

Carried.

On motion of Senator Dickson, regular order of business was suspended to take up Senate bill No. 217, being a bill to be entitled "An act to provide for the support and maintenance of a school of dentistry of the Medical Department of the University of Texas."

Bill read second time.

By Senator Lewis:

Amend section 1, line 17, by adding after the word "dentistry" the words "of the Medical Department of the State University of Texas."

Adopted.

Pending action.

The Chair announced that the hour fixed for executive session had arrived, and the Senate accordingly went into executive session.

## AFTER EXECUTIVE SESSION.

In executive session the following confirmations were had:

Judge of the Fifty-third Judicial District: Frank G. Morris of Travis county, vice James H. Robertson, resigned.

Judge of the Twenty-sixth Judicial District: R. E. Brooks of Williamson county, vice Frank G. Morris, appointed Judge of the Fifty-third Judicial District.

On motion of Senator Gage, Senator Atlee was excused from attendance the remainder of today.

Resuming consideration of Senate bill No. 217, it was ordered engrossed by the following vote:

## Yeas—13.

Boren.	Goss.
Bowser.	Harrison.
Colquitt.	Lawhon.
Dean.	Lewis.
Dibrell.	Shelburne.
Dickson.	Woods.
Gage.	

## Nays—10.

Beall.	Simpson.
Darwin.	Smith.
McComb.	Stafford.
McKinney.	Steele.
Rogers.	Tips.

Absent, excused.

Agnew.	Whitaker.
Atlee.	

Absent—not excused.

Bailey.	Presler.
Greer.	Sherrill.

On motion of Senator Lewis, regular order of business was suspended to take up Senate bill No. 220, being a bill to be entitled "An act to amend article 644b of an act entitled 'An act to amend title 20 of the Revised Statutes of the State of Texas, entitled 'Private Corporations,' by adding another chapter thereto to be styled chapter 14, authorizing the construction, owning and operating deep water channels and docks."

Bill read second time.

By Senator Lewis:

Amend by adding:

Section 2. The near approach of the close of the present session of the Legislature and the large number of bills upon the calendar and the importance of this measure, create an imperative public necessity, and emergency exists that the constitutional rule requiring bills to be read on three several days be suspended, and it is so ordered, and this act shall take effect and be in force from and after its passage.

Adopted.

Bill ordered engrossed.

Senator Lewis moved that the constitutional rule requiring bills to be read on three several days be suspended and that the bill be put upon its third reading and final passage.

Lost by the following vote (requiring four-fifths vote):

## Yeas—19.

Beall.	McComb.
Boren.	McKinney.
Bowser.	Rogers.
Dean.	Shelburne.
Dibrell.	Sherrill.
Dickson.	Simpson.
Gage.	Stafford.
Goss.	Steele.
Lawhon.	Woods.
Lewis.	

## Nays—5.

Colquitt.	Smith.
Darwin.	Tips.
Harrison.	

Absent, excused.

Agnew.	Whitaker.
Atlee.	

Absent, not excused.

Bailey.	Presler.
Greer.	

Senator Dean moved to adjourn to 10 a. m. tomorrow.

Lost by the following vote:

## Yeas—8.

Beall.	Dickson.
Boren.	Harrison.
Dean.	Shelburne.
Dibrell.	Tips.

## Nays—16.

Bowser.	McKinney.
Colquitt.	Rogers.
Darwin.	Sherrill.
Gage.	Simpson.
Goss.	Smith.
Lawhon.	Stafford.
Lewis.	Steele.
McComb.	Woods.

Absent, excused.

Agnew.	Whitaker.
Atlee.	

Absent, not excused.

Bailey.	Presler.
Greer.	

On motion of Senator Simpson, regular order of business was suspended to take up

House bill No. 300, being a bill to be entitled "An act to amend section 1 of an act entitled 'An act to provide for the prompt, speedy and economical disbursement of the direct tax refunded to the State of Texas, under the act of the Fifty-first congress, approved March 2, 1891,' as enacted by the regular session of the Twenty-third Legislature in 1893, being chapter 30 (substitute House bill No. 67), and to repeal all laws in conflict with this act."

Bill read second time.

Senator Darwin moved to adjourn to 9:30 a. m. tomorrow.

Lost by the following vote:

## Yeas—8.

Darwin.	Sherrill.
Dibrell.	Smith.
Harrison.	Steele.
McKinney.	Woods.

## Nays—16.

Beall.	Lawhon.
Boren.	Lewis.
Bowser.	McComb.
Colquitt.	Rogers.
Dean.	Shelburne.
Dickson.	Simpson.
Gage.	Stafford.
Goss.	Tips.

Absent—excused.

Agnew.	Whitaker.
Atlee.	

Absent—not excused.

Bailey.	Presler.
Greer.	

Senator Tips moved to adjourn to 10 a. m. tomorrow.

Lost by the following vote:

## Yeas—9.

Beall.	Lawhon.
Boren.	McKinney.
Dibrell.	Smith.
Dickson.	Tips.
Harrison.	

## Nays—15.

Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Gage.	Stafford.
Goss.	Steele.
Lewis.	Woods.
McComb.	

Absent, excused.

Agnew.	Whitaker.
Atlee.	

Absent, not excused.

Bailey.	Presler.
Greer.	

Bill (House bill 300) passed to third reading.

On motion of Senator Dean, the Senate adjourned to 10 a. m. tomorrow.

## FIFTY-THIRD DAY.

Senate Chamber,

Austin, Texas, March 13, 1895.

Senate met pursuant to adjournment. Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lewis.
Bailey.	McComb.
Beall.	McKinney.
Boren.	Presler.
Bowser.	Rogers.
Darwin.	Shelburne.
Dibrell.	Sherrill.
Dean.	Simpson.
Dickson.	Smith.
Gage.	Stafford.
Goss.	Steele.
Greer.	Tips.
Harrison.	Whitaker.
Lawhon.	Woods.

Absent—excused.

Agnew.

Absent, not excused.

Colquitt.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Woods, the same was suspended.

On motion of Senator Steele, Senator Colquitt was excused for today on account of important business.

On motion of Senator Rogers, Journal Clerk O'Quinn was excused for today to enable him to attend and take part in the examination of the University law class.

## PETITIONS AND MEMORIALS.

By Senator Greer:

Petitions of citizens of Orange county, asking for the passage of a bill for the relief of Mrs. Ann E. Lynch.

Read and referred to Committee on State Affairs.

By Senator Greer:

Protest against passage of the bill for the relief of Mrs. Ann E. Lynch.

Read and referred to Committee on State Affairs.

By Senator Whitaker:

Memorial of citizens of Bowie county, asking that surveys of vacant public lands heretofore made under certificates issued by the State of Texas to Confederate soldiers be validated.

Read and referred to Committee on Public Lands.

## COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 189, being a bill to be entitled "An act providing for the amendment of article 2971 of the Revised Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

## MINORITY REPORT.

Committee Room,

Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

I, the undersigned, a minority of your Judiciary Committee No. 1, to whom was referred Senate bill No. 189, not being able to agree with a majority of said committee, beg leave to recommend that said bill do pass.

SIMPSON.

Committee Room,

Austin, Texas, March 12, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Substitute House bills Nos. 114 and 239, "An act to prohibit the owners, lessees, renters, or any firm or association of persons, or corporations, or their agent, keeping any pool or billiard table for public amusement from permitting any male person under twenty-one years of age to play at any game on either of said tables, and prescribing the punishment therefor,"

Have had the same under consideration, and I am instructed by a majority of said committee to report the same back to the Senate with the recommendation that it do pass, with the following amendment to-wit:

Amend by striking out the words "twenty-one years" wherever they occur in the caption and in the body of the bill, and insert in place thereof the words "seventeen years."

SMITH, Chairman.

## MINORITY REPORT.

Committee Room,

Austin, Texas, March 12, 1895.

Hon. Geo. T. Jester, President of the Senate.

We, the undersigned, a minority of your Judiciary Committee No. 1, to whom